

S.B. Criminal Misc. Bail Application No.4714/2006

Date : 20.10.2006.

HON'BLE MR. SATYA PRAKASH PATHAK, J.

Mr. J.S. Choudhary for the applicants.

Mr. K.L. Thakur, AAG for the State.

Mr. Ranjeet Joshi for complainant.

I have heard learned counsel for the applicants as well as the learned Public Prosecutor for the State assisted by learned counsel for the complainant and carefully gone through the impugned order.

The contention of learned counsel for the applicants is that similarly situated co-accused have already been granted bail by this Court in S.B. Criminal Misc. Bail Application No.2307/2006, order dated 07.07.2006, S.B. Criminal Misc. Bail Application No.2880/2006, order dated 12.07.2006, S.B. Criminal Misc. Bail Application No.4305/2006, order dated 13.09.2006 and S.B. Criminal Misc. Bail Application No.4269/2006 vide order dated 03.10.2006, therefore, case of the present applicants may also be considered. He submits that

there is no mention of name of the applicant in the FIR and no specific allegation has been attributed to the applicant. In the last, he prays that in above circumstances the accused applicants may be enlarged on bail.

On the other hand, learned Additional Advocate General assisted by learned counsel for the complainant opposed the bail application and submitted that present applicants are different then the co-accused, therefore, bail should not be granted.

I have considered the submissions made before me and carefully perused the material available on record.

Taking into consideration the overall facts and circumstances of the present case, I think it just and proper to enlarge the accused applicants on bail.

Accordingly, the bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that applicants (1) Pukhraj alias Ramswaroop S/o Bhanwar Lal (2) Suresh alias

Tuntia S/o Bhanwarlal and (3) Vijay Singh alias Bijju S/o Rambaksh shall be released on bail in CR No.7/2006 P.S. Khatu Badi, Nagaur, provided each of them executes a personal bond in the sum of Rs.50,000/- with two sound and solvent sureties in the sum of Rs.25,000/- each to the satisfaction of learned trial court for their appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(SATYA PRAKASH PATHAK), J.

vijayant